

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NEVIN P. COOPER-KEEL, JD,

Plaintiff,

Hon. Hala Y. Jarbou

v.

Case No. 1:22-cv-1236

GARRETT KEEL-WORRELL,

Defendant.

/

**ORDER**

On January 17, 2023, Defendant filed a Motion for Summary Judgment (motion to dismiss) for lack of subject matter jurisdiction on the basis that Plaintiff failed to plead a basis for damages in excess of the jurisdictional threshold of \$75,000, exclusive of interest and costs. (ECF No. 5.) On February 8, 2023, Plaintiff filed an amended complaint pursuant to Federal Rule of Civil Procedure 15(a)(1)(B). (ECF No. 11.) On February 27, 2023, Defendant filed another motion for summary judgment (motion to dismiss) directed at the amended complaint. (ECF No. 14.)

“The general rule is that filing an amended complaint moots pending motions to dismiss.”

*Crawford v. Tilley*, 15 F.4th 752, 759 (6th Cir. 2021). In addition, Defendant has now filed a separate motion in response to Plaintiff’s amended pleading. Therefore, Defendant’s previously filed motion (ECF No. 5) is **DISMISSED AS MOOT**. Plaintiff shall respond to Defendant’s current motion within the time permitted by Western District of Michigan Local Civil Rule 7.2(c).

**IT IS SO ORDERED.**

Dated: March 3, 2023

/s/ Sally J. Berens  
SALLY J. BERENS  
U.S. Magistrate Judge